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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney's Docket No. ICB-0027

In re Application of:
Berthaud, Christophe

Art Unit: 2672

Serial No.: 09/631,413

Examiner: Wang, Jin-Cheng

Filed: 8-3-00

Title: Watch Including a Contactless Control Device for a Computer Cursor

Declaration of _____
Under 37 C.F.R. 1.132

1. My name is Rolf Klappert.
2. I have a degree in Physics from Westfälische Wilhelms University.
3. I have 16 years experience as an Project Manager and have attached my CV (Curriculum Vitae) hereto as exhibit A.
4. Based on my education and experience I am considered to be one skilled in the art of watch designing.
5. I have read and understood US Patent 6,137,479 and the above identified application.
6. I can state the following:

A. Each element of claim 1 of the above referenced application is not present in US Patent 6,137,479. In particular, there is no embodiment shown in which the watch crystal (the outer element of claim 1) covers a watch display and also supports a plurality of sensitive pads.

B. Additionally, relying on the disclosure of US Patent 6,137,479 I could not practice the claims of the above referenced application without undue experimentation. In particular, I read claim 1 to mean that not only is the outer element transparent, so that the display is visible, but that the touch sensitive sensors should also be transparent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Full name of expert: Rolf Klappert

Residence: Maillefer 10
CH-2000 Neuchâtel / Switzerland

Citizenship: German

Post Office Address: same as above

Date: 22. 06. 2003

By: Rolf Klappert

Curriculum Vitae

Rolf Klappert
Malliefer 10
CH-2000 Neuchâtel
Switzerland

My name is Rolf Klappert and I am German.

I am born on September 11, 1960 in Arnsberg, Germany, where I also went to school. In Mai 1979 I obtained the degree "Allgemeine Hochschulreife" from the "Gymnasium Laurentianum" in Arnsberg.

From 1979 until 1988 I studied Physics at the "Westfälische Wilhelms-Universität" in Münster, Germany, and I obtained the degree "Diplom-Physiker" (equivalent to a masters degree). The title of my diploma work is "Ferroelektrizität an Smektsch-C-Flüssigkristallen mit dotierungsinduzierter Chiralität" (Ferroelectricity in smectic C liquid crystals with doping induced chirality).

Since January 1987 I am working as a project manager at Asulab (Marin, Switzerland) in the development of watches (products, technologies, components, etc.). Asulab is the central R&D laboratory of "The Swatch Group", the world biggest (value not pieces) watch manufacturer.

Marin, May 2003

R. Klappert